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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,211	03/14/2001	Thomas D. Erickson	YOR9-2000-0671US1 (8728-4)	3294
46069 7590 07/24/2008 F. CHAU & ASSOCIATES, LLC 130 WOODBURY ROAD WOODBURY, NY 11797				
EXAMINER JEAN GILLES, JUDE				
ART UNIT 2143		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/08,211

Applicant(s)

ERICKSON ET AL.

Examiner

JUDE J. JEAN GILLES

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) Claims 1, 3-6, 8-20, 22, and 23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) Claims 1, 3-6, 8-20, 22, and 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03/14/2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

This office action is in reply to communication filed on 02/19/2008. Claimed priority is granted from application No: 60244838 with a priority date of 11/01/2000.

Drawings

1. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because Applicants have presented 4 drawing sheets with two sheets labeled fig. 3 and fig. 2 label missing. Handwritten on the drawing is also unacceptable as it presents difficulty for reading. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Response to Amendment

2. This action is responsive to the reply filed on 02/19/2008. Claims 1, and 12 have been amended and claims 2, 7, and 21 are canceled. Claim 23 is newly added. Claims 1, 6, 16, and 19 have been amended. Claims 1, 3-6, 8-20, 22 and 23 are pending and represent a method and apparatus for "MULTIPLE PERSPECTIVE ACTIVITY MAP DISPLAY."

Response to Arguments

3. Applicant's arguments with respect to claims 1, 12, and 19 have been carefully considered, but are not deemed fully persuasive. Applicant's arguments are deemed moot in view of existing ground of rejection as reiterated and explained here below. Examination of Applicants' amendments to independent claims 1 and 19 do not teach away for the prior art of record to perhaps place the claims in condition for allowance. Applicants' arguments with respect to non-amended independent claim 12 as well as amended independent claims 1 and 19 are unpersuasive. However, because there exists the likelihood of future presentation of these arguments, the Examiner thinks that it is prudent to address Applicants' main points of contention:

A: Applicants contend that neither Liou nor Lesham teaches "displaying a graphic link having a first end point at the element of the first perspective and a second end point at at least one element of a second perspective and representing an association between the element of the first perspective and the at least one element of a second perspective" as claimed in claim 1.

Answer A) As to point A, the examiner disagrees with Applicants initial assertion. In page 5 second paragraph of the previous Office Action, the Examiner was very clear in stating for the record that Liou does not disclose the step displaying a graphic link in the context of claim 1. However, it was clearly stated that Leshem discloses such limitations (see Leshem, column 30, lines 16-22; see also column 31, lines 5-43). Note

that in fig. 21, a comparison is being made between two maps showing two perspectives, one with the "compare maps" option from the tools menu and another viewing the current map. The current map is linked with the compare maps via URLs and links allowing the display of the comparison map data structure 268 in Astra's VWD format.

B: Applicants contend that, nowhere does Liou or Lesham teach the step of "representing the aspect in an activity map including at least two perspectives of the aspect; representing an activity of a user within the environment, wherein the activity corresponds to the aspect and is represented in each perspective simultaneously; and representing the activity of the user as a line rendered between each perspective of the aspect" as claimed in claim 12.

Answer to point B) As to point B, it is again the position of the Examiner that the combination of Liou and Lesham teaches the limitations of claim 12 as submitted. The teachings of Liou, specifically in fig. 1 represents the aspect in an activity map including at least two perspectives of user activity within the environment using the interactive catalog users can view systems, instrumentation, solutions and more in one perspective, and being able to view documents related to any elements of the first perspective via perspective 102. Lesham shows at least two perspectives as well in fig. 22, enabling the system to generate a graphical display representing more than one perspective showing links (line rendering) connected them (see items 288, 290, 292 of fig. 22)

C) Applicants argue that neither Liou nor Lesham discloses "displaying at least one different aspect of user activity in each of at least two perspectives of an activity map, wherein the perspectives are associated by a user activity of a market participant, wherein an association between perspectives is represented as a tangible link connecting perspectives, wherein the tangible link is a line having ends points at aspects of the user activity of the market participant represented separately in the at least two associated perspectives" as claimed in claim 19.

Point C above contains similar limitations as to claim 1 and 12 above. The only new element of the claim is that the user is labeled as "a market participant". Being a market participant is a broad term that is interpreted by the examiner to mean the user of the system of Liou as Liou focuses on providing user interface for product exploration and product configuration with seamless integration of browsing, query, and human assistance, customized to the knowledge of individual users (see Liou abstract).

D) Applicants contend that neither Liou nor Lesham discloses linking at least two perspectives wherein the at least two perspectives of the activity map are on-overlapping.

Answer D) As to point D, see Lesham fig. 4, and the display of two separate and non-overlapping perspectives.

Examiner notes that applicants have failed in presenting claims and drawings that delineate the contours of this invention as compared to the cited prior art. Applicants have failed to clearly point out patentable novelty in view of the state of the art disclosed

by the references cited that would overcome the 103(a) rejections applied against the claims, the rejection is therefore sustained.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3-6, 8-20, 22, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liou, Pub No. US 2002/0059395 A1 in view of Leshem et al (Leshem), U.S. Patent No 6,470,383 B1.

Regarding **claim 1**, Liou discloses the invention substantially as claimed. Liou teaches computer-implemented method for representing user activity within an environment (figs. 1 and 2) comprising the steps of:

displaying an activity map comprising at least two perspectives of the environment (fig. 1), wherein each perspective is an abstract graphical display of at least one aspect of the user activity within the environment (*abstract; Par. 0022; product information maps represent each a perspective (views) on the user interface; those views are in fact abstract graphical displays represent product exploration and configuration integrated in the browser*);

selecting an element of a first perspective, wherein the element of the first perspective is an abstract graphical display of a first predefined characteristic of the user activity within the environment (*fig. 1, items 106 and 108; par. 0034-0037; note that using the multi-view product browser 104, users can select one or more elements from the perspective data; predefined data of user activity can be represented by previous selection of products such as items in a list of selected product content*); and

representing an association between the element of the first perspective and at least one element of a second perspective, wherein each element of the second perspective is an abstract graphical display of a corresponding predefined characteristic of the user activity within the environment (*fig. 1, items 102-108; par. 0049; 0053, 0055*). However, Liou does not specifically disclose the step of “displaying a graphic link having a first end point at the element of the first perspective and a second end point at at least one element of a second perspective”.

In an analogous art, Leshem teaches a method for generating and displaying web site activity data including graphical links representation. Leshem discloses “FIG. 20 flow chart can be used to detect a variety of different types of activity information, which can be superimposed on the site map (by modifying node and link display attributes) ...”(see Leshem, column 30, lines 16-22). The different types of activities superimposed on the site map represent the linked perspectives or views within the map (see Leshem fig. 5). See Further fig.22 of Leshem and specifically items 288, 290 and 292. In an attempt to facilitate viewing and manipulating of user

activity within an environment, using the graphical link to display relationships between perspectives make sense.

Given this feature, a person of ordinary skill in the art, at the time the invention was made, would have readily recognized the desirability and advantages of modifying the system of Liou, to employ the features of Leshem, for the purpose of facilitating mapping, analysis and management of sites, thereby enabling automatic evaluation base on relationship of related perspectives (see Leshem ; column 3, lines 57-63, and column 7, lines 59-63). By this rationale, **claim 1** is rejected.

Regarding claims 3-6, 8-20, and 22 the combination of Liou- Leshem discloses:

2. (Cancelled)

3. (Previously Presented) The computer-implemented method of claim 1, further comprising the steps of:

determining a value of at least one predefined characteristic of the user activity (see *Liou*, par. 0035-0036; 0011; *users get to view a selected list of historical data in a predefined fashion*); and

dynamically incorporating the value of the at least one predefined characteristic of the user activity in the activity map (see *Liou*, par. 0022-0023, 0035, 0011).

4. (Previously Presented) The computer-implemented method of claim 1, wherein each predefined characteristic of the user activity includes one of a user location, a user status within a hierarchy, a user emotion, and a quality of user conversation (see *Liou*, par. 0057).

5. (Previously Presented) The computer-implemented method of claim 1, wherein the graphic link associates the at least two perspectives of the activity map (see Liou, fig. 1; par. 002-1008; see Leshem, column 30, lines 16-22). The same motivation and reason to combine that were utilized for the rejection of claim 1 is also valid for this claim.

6. (Previously Presented) The computer-implemented method of claim 1, wherein the graphical link is a line linking a user's activity represented separately in the at least two perspectives of the activity map (see Liou, figs. 1 and 2, par. 0033-0035), wherein the at least two perspectives of the activity map are on-overlapping (see Leshem fig. 4, two separate and non-overlapping perspectives).

8. (Previously Presented) The computer-implemented method of claim 1, wherein the activity maps includes a geographic perspective and a discussion perspective, the two perspectives associated by the user activity within the environment (see Liou, figs. 7 and 8).

9. (Previously Presented) The computer-implemented method of claim 8, wherein the discussion perspective includes at least one topic, wherein each topic is an element (see Liou, figs. 7 and 8).

10. (Previously Presented) The computer-implemented method of claim 1, wherein each perspective is one of a representation of the user activity, and a representation of user input to the environment (see Liou, figs. 7 and 8; discuss).

11. (Original) The computer-implemented method of claim 1, wherein the environment is a transactional environment (see Liou, figs. 7 and 8; pricing).

12. (Currently Amended) A program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for interacting with an environment having an aspect (see Liou, figs. 1 and 2), the method steps comprising:

representing the aspect in an activity map including at least two perspectives of the aspect (abstract; Par. 0022);

representing an activity of a user within the environment, wherein the activity corresponds to the aspect and is represented in each perspective separately (see Liou, fig. 1, items 106 and 108; par. 0034-0037); and

representing the activity of the user as a line rendered between each perspective of the aspect (see Leshem, column 30, lines 16-22; see also items 288, 290, 292 of fig. 22, column 31, lines 45-67). The same motivation and reason to combine that were utilized for the rejection of claim 1 is also valid for this claim.

13. (Original) The program storage device of claim 12, wherein the environment is a transactional environment and the user is a market participant (see Liou, figs. 7 and 8).

14. (Original) The program storage device of claim 12, wherein the activity map includes at least one perspective in which an on-line transaction is conducted (see Liou, figs. 7 and 8).

15. (Original) The program storage device of claim 12, wherein the line rendered is a tangible cue which associates the perspectives (see Liou, figs. 1, 7 and 8).

16. (Previously Presented) The program storage device of claim 12, wherein the line rendered link is a line linking a user's activity represented separately in the at least two perspectives of the activity map (see Liou, figs. 1, 7 and 8; see Leshem, column 30, lines 16-22 wherein the at least two perspectives of the activity map are on-overlapping (see Leshem fig. 4, two separate and non-overlapping perspectives).

17. (Original) The program storage device of claim 12, wherein a single perspective incorporates more than one aspect (see Liou, figs. 1, 7 and 8).

18. (Original) The program storage device of claim 12, wherein the aspect may be represented by more than one perspective (see Liou, figs. 1, 7 and 8).

19. (Previously Presented) A computer-implemented method for representing a transactional environment having aspects (see Liou, figs. 7 & 8) comprising the steps of:

displaying at least one different aspect of user activity in each of at least two perspectives of an activity map, wherein the perspectives are associated by the user activity of a market participant, wherein an association between perspectives is represented as a tangible link connecting perspectives, wherein the tangible link is a line having ends points at aspects of the user activity of the market participant represented separately in the at least two associated perspectives of the activity map (see Liou abstract; Par. 0022; see also see Leshem, column 30, lines 16-22). See Further fig.22 of Leshem and specifically items 288, 290 and 292);

providing at least one perspective in which an on-line transaction is conducted between at least two market participants (see Liou, fig. 1 though the interactive catalog); and

representing the market participant within the activity map (see Liou, figs. 8 and 9; note that the "browsing profile" and profile database act jointly to display participant's profile). The same motivation and reason to combine that were utilized for the rejection of claim 1 is also valid for this claim.

20. (Original) The computer-implemented method of claim 19, wherein perspectives of the activity map are associated by market participant activity (see Liou, figs. 1, 7 and 8).

21. (Cancelled)

22. (Original) The computer-implemented method of claim 19, wherein the transactional environment is one of a business, a market place, and an auction house (see Liou, figs. 1, 7 and 8).

23. (new) The computer-implemented method of claim 19, wherein the at least two perspectives of the activity map are displayed as non-overlapping abstract graphical displays (see Lesham fig. 4, two separate and non-overlapping perspectives).

Conclusion

5. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn, can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-3301.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-0800.

/Jude J Jean-Gilles/

Primary Examiner, Art Unit 2143

JJG

July 20, 2008

